

ORIGINAL

**APPLICATION FOR**  
**INCIDENTAL BOUNDARY REVISION**

THE OHIO VALLEY COAL COMPANY  
POWHATAN NO. 6 MINE  
PERMIT D-0360

1BR-360-1  
**RECEIVED**

JUN 15 1994

DIVISION OF  
RECLAMATION  
ST. CLAIRSVILLE

**RECEIVED**

JUN 23 1994

DIVISION OF  
RECLAMATION

ORIGINAL

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION  
Fountain Square  
Columbus, Ohio 43224



APPLICATION FOR AN INCIDENTAL BOUNDARY REVISION  
This Form Cannot Be Utilized For The Removal Of Coal  
(File in-Quadruplicate)

1. Permittee's Name The Ohio Valley Coal Company Phone # (614) 926-1351
2. Address 56854 Pleasant Ridge Road, Alledonia, Ohio Zip Code 43902
3. Coal Mining Permit # D-0360
4. Additional acres to be permitted 13.1
5. Has this acreage been affected? Yes \_\_\_\_\_, No X
6. Describe the reason this additional acreage is required.  
An emergency spillway is required for the No. 2 Slurry Impoundment.
7. Describe the activities to be conducted on this area.  
Dozers, scrapers removing overburden to a certain elevation.  
See maps enclosed.
8. Is the information contained in the previously approved permit application  
applicable to this revised area? Yes X, No \_\_\_\_\_.  
If "no", describe any changes to the previously approved permit application  
that will apply to this revised area.

(continued on reverse side)

APPROVED ☒  
DISAPPROVED ☐  
INSPECTION [Signature]  
SUPERVISOR SW  
DATE 6-17-94



9. LOCATION OF ADDITIONAL ACRES TO BE AFFECTED DURING PERMIT . . . (List all surface and mineral owners and all locations applicable to each ownership as shown on the location map. If owner name is repeated, show address only once. If permittee is owner, address is not necessary.)

NAME OF SURFACE AND MINERAL OWNERS	Twp. & Range	Section	Township	County
Name <u>The Ohio Valley Coal Company</u> Address <u>56854 Pleasant Ridge Road</u> City & State <u>Alledonia, Ohio 43902</u> Surface <u>X</u> Mineral <u>X</u> Zip _____	T-5-N R-4-W	35	Washington	Belmont
Name _____ Address _____ City & State _____ Surface _____ Mineral _____ Zip _____				
Name _____ Address _____ City & State _____ Surface _____ Mineral _____ Zip _____				

(If additional space is needed, list on a separate sheet in this format.)

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application.

David L. Bartsch  
Signature

Permit Administrator  
Title

06/08/94  
Date

(FOR DIVISION USE ONLY)

This application is hereby approved by the Chief, Division of Reclamation and effective this date. The acreage identified in item 5 of this application is now part of permit \_\_\_\_\_ (permit #)

November 3, 1994  
Date

Lisa Morris / mjr  
ad. Chief, Division of Reclamation

\$ 32,750.00 of performance bond and \$ 982.50 acreage fee was received on 8-4-94 (Date)



THE OHIO VALLEY COAL COMPANY  
POWHATAN NO. 6 MINE  
PERMIT D-0360  
NO. 2 DAM EMERGENCY SPILLWAY - CONSTRUCTION DETAILS

This project involves the construction of an emergency spillway for the No. 2 Dam. The design requirements for this dam include the ability to hold and safely pass a probable maximum flood (PMF). In order to accomplish this task, an emergency spillway must be excavated and reinforced with concrete. Plans for this work are included in this application for an incidental boundary revision.

All work will involve the use of bull dozers and pans to remove the dirt and rock to an area immediately adjacent to the spillway. Drainage will be established to flow through sumps to control sediment. In addition, silt fence and hay bale dikes will be used for this purpose.

SUMP DESIGN

All surface runoff from the site will be directed through sumps located within the construction area. The sumps will be approximately 5 ft. long x 5 ft. wide x 3 ft. deep. A hay bale dike will be placed in such a manner that the overflow from a sump must pass through the hay prior to entering the natural drainage way. Sumps will be cleaned when they are less than full with sediment.

DISPOSAL OF SPOIL

All material to be removed from the emergency spillway cut will be disposed on site. Topsoil will be removed prior to spoil placement. When spoil placement is completed, the spoil will be covered with topsoil and seeded to prevent erosion.



**PRIME FARMLAND DETERMINATION**



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION

ATTACHMENT 16  
(NEGATIVE DETERMINATION OF PRIME FARMLAND)

Applicant's Name The Ohio Valley Coal Company

This attachment is to be completed and submitted with the permit application if the applicant is demonstrating that the permit area or a portion of the permit area is not prime farmland. Check (✓) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the proposed permit area have not been historically used for cropland.
- ☐ 2. The slope of the land within the proposed area is greater than eight percent.
- ☒ 3. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the proposed permit area that have been designated prime farmland by the U.S. Soil Conservation Service.
- ☐ 4. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the S.C.S. within the proposed permit area (see Attachment 15, item 2 for 1st order survey criteria).





May 12, 1994

Mr. James W. Forshey  
District Conservationist  
U. S. Department of Agriculture  
Soil Conservation Service  
Bannock Road  
St. Clairsville, Ohio 43950

Dear Mr. Forshey:

The Ohio Valley Coal Company is preparing to submit an Incidental Boundary Revision (IBR) application for our mining permit (D-0360). The area is located in Section 35, Washington Township, Belmont County, Ohio, comprises approximately 20 acres, and is shown on the attached map. The map is a part of page 67 from the Soil Survey of Belmont County, Ohio (July, 1981). Please determine if the area shown in red and yellow contains prime farmland. The area contains the following soil types:

LoE - Lowell Silt Loam  
LeD - Lowell-Westmoreland Silt Loam  
WoC - Westmoreland-Upshur Complex

If you have any questions, please contact me. Your prompt consideration in this matter will be greatly appreciated.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P. E.  
Environmental Coordinator and  
Permit Administrator

enclosure







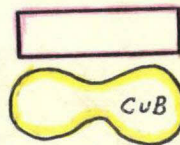




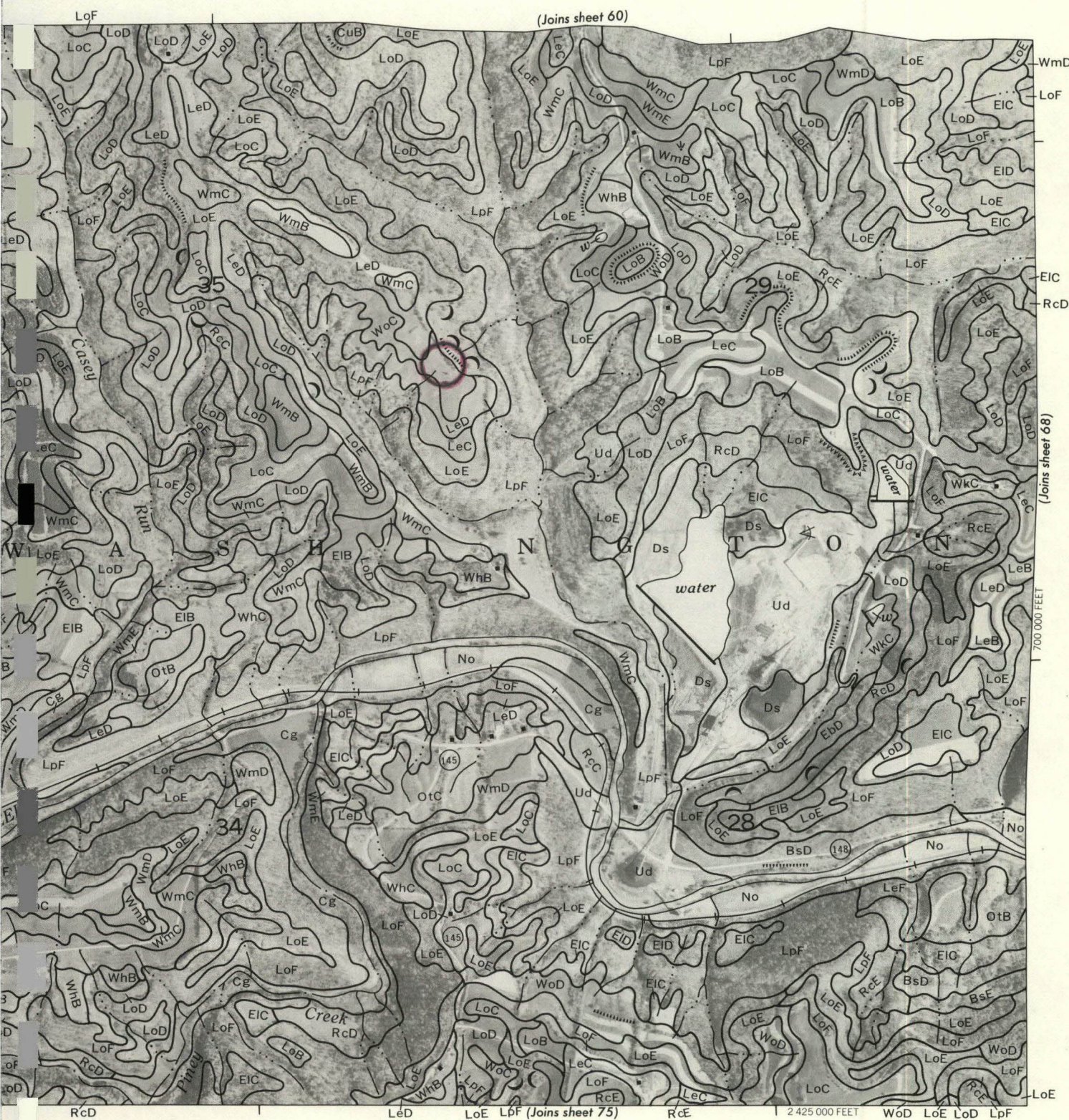
Requested Area -

Prime Farmland -

Scale - 1" = 1320'



67





**VARIANCE REQUESTS**





June 13, 1994

Mr. Glen G. Kizer  
Division of Reclamation  
Ohio Department of Natural Resources  
1855 Fountain Square  
Columbus, Ohio 43224

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	11-3-94
SIGNED	<i>Jim Morris/mjr</i> Chief

Dear Mr. Kizer:

The Ohio Valley Coal Company respectfully requests a small area drainage exemption for the enclosed Incidental Boundary Revision pursuant to OAC 1501:13-9-04(B)(3)(a). An area of 13.1 acres will be developed for an emergency spillway for the No. 2 Dam. A total of 8.6 acres will be included in the exemption. The site is located in Section 35, Washington Township, Belmont County, Ohio.

The drainage for the area will be controlled with the use of sumps during construction. Construction will consist of removal of overburden to a certain elevation. After overburden removal, the material will be covered with topsoil and seeded. Additional drainage controls will consist of hay bale dikes and silt fence. The silt fence will be removed after construction.

Any discharge from this area, including discharge from the sump, will meet effluent limitations. If you have any questions, please contact me.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

*David L. Bartsch*

David L. Bartsch, P. E.  
Environmental Coordinator and  
Permit Administrator





George V. Voinovich • Governor  
Frances S. Buchholzer • Director

July 19, 1994

Ohio Valley Coal Company  
56854 Pleasant Ridge Road  
Aledonia, OH 43902

Gentlemen:

This is to notify you that bond and fees are due for the incidental boundary revision of permit #D-0360.

If the I.B.R. is for an issued permit and is complete, upon receipt of the acreage bond and fee, in the amounts listed below, your incidental boundary revision will be approved by the Chief.

Acreage fee	\$ 982.50
Bond	\$ 32,750.00

pd 8/4/94 JK

The check for acreage fees should be made payable to: Treasurer, State of Ohio. Please refer to Policy/Procedure Directive Bonding 93-1 which provides information and guidelines for properly submitting bond and fees. If the IBR has been affected, the fee and bond shall be submitted together, within thirty (30) days receipt of this letter.

Failure to submit bond and fees within the allotted time will result in a notice of violation.

If you have any questions, please contact me at (614) 265-6640.

Sincerely,

*Terri R. Hufford*

Terri R. Hufford  
Bonding Supervisor  
Division of Reclamation

c: Joyce Schramm  
St. Clairsville  
File



MEMO TO: JOYCE SCHRAMM

9/21/94

FROM: JOE NOONAN

SUBJECT: OHIO VALLEY COAL MODIFICATION TO THE SLURRY POND  
SPILLWAY

TWO SUMPS 5'x5'x3', PART OF THE SADI, ARE NOT SUFFICIENT TO  
TREATING THE RUNOFF FROM 8.6 ACRES AND MEET EFFLUENT LIMITS.  
THEY NEED TO BE SIGNIFICANTLY LARGER.

*forwarded to David Bartech 9/21/94*

*Revision OK - per Joe Noonan 11/3/94.*





October 18, 1994

RECEIVED

OCT 21 1994

DIVISION OF  
RECLAMATION

Ms. Joyce Schramm  
Division of Reclamation  
Ohio Department of Natural Resources  
1855 Fountain Square  
Columbus, Ohio 43224

Dear Joyce:

Enclosed are three copies of a revised IBR map per your request. The changes show the addition of a sedimentation pond with a capacity of 0.4 acre-feet per acre, or 15,000 cubic feet of storage. If you have any questions, please contact me.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P. E.  
Environmental Coordinator and  
Permit Administrator



**TO:** Harry Payne  
**FROM:** Joyce Schramm  
**DATE:** June 28, 1994  
**SUBJECT:** Ohio Valley Coal, IBR for D-0360

On June 20, 1994, we received an IBR for 13.1 acres to construct an emergency spillway that is required for the No. 2 slurry impoundment.

Per my phone conversation with David Bartsch of Ohio Valley Coal, this slurry impoundment has already been approved by the Division of Water and MSHA, therefore, he would like to know why our Engineer needs to review it. Can you confirm as to whether or not this emergency spillway will need to be reviewed by Joe Noonan? A copy of the IBR is attached.

Attachment

cc: Lisa Morris

*Impoundments, irrespective of Div. of Water & MSHA requirements, are also regulated by DOR. 1501:13-4-14 (H)(2) and 1501:13-9-04 (H)(1)(h)*

*- the specific sizing of the spillways is also regulated and must be approved by the Chief.*

*H.J.P. 6/29/94*





June 14, 1994

Mr. Jack D. Graham  
Reclamation Inspector  
Division of Reclamation  
Ohio Department of Natural Resources  
70245 Bannock-Uniontown Road  
St. Clairsville, Ohio 43950

Dear Jack:

Enclosed is an application for an incidental boundary revision for permit D-0360. The IBR is for 13.1 acres and is needed to install an emergency spillway for the No. 2 Dam. This IBR is needed as soon as possible, and we respectfully request an expedited approval of this application. If you have any questions, please contact me.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P. E.  
Environmental Coordinator and  
Permit Administrator

cc: J. R. Forrelli  
J. Schramm (DOR - Columbus)  
File



# INCIDENTAL BOUNDARY REVISION CHECKLIST

Operator Opin Valley Coal Co. Permit No. D-0360  
 Type of Mine Underground Date of Review 6/23/94  
 Consultant                      Inspector Jack Graham

Affected / <u>Unaffected</u>	<u>Complete</u> / Incomplete
------------------------------	------------------------------

*Surface affectment* *11/3/94*

INCORRECT	CORRECT	
		<b>MAP</b>
	<input checked="" type="checkbox"/>	Less Than 5%
	<input checked="" type="checkbox"/>	Acreage Proposed <i>B.1</i>
	<input checked="" type="checkbox"/>	Location of Proposed Area
	<input checked="" type="checkbox"/>	Dashed Black Boundary, Shaded Yellow
	<input checked="" type="checkbox"/>	Ponds Noted, If Applicable
	<input checked="" type="checkbox"/>	Nature of Watershed if Different From Permit
	<input checked="" type="checkbox"/>	Public Road W/in 100 Feet of Permit
	<input checked="" type="checkbox"/>	Everything W/in 500 Feet of Permit
	<input checked="" type="checkbox"/>	All Perennial & Intermittent Streams
	<input checked="" type="checkbox"/>	County, Twp., Section, Lot, Boundaries & Names
	<input checked="" type="checkbox"/>	All Buildings W/in 300 Feet of IBR Area
	<input checked="" type="checkbox"/>	Name of Landowner/Mineral Owner
	<input checked="" type="checkbox"/>	Four Copies of Map
	<input checked="" type="checkbox"/>	Statement Certifying Correctness of Map
	<input checked="" type="checkbox"/>	Notarization
		<b>TITLE BLOCK</b>
	<input checked="" type="checkbox"/>	Map Title
	<input checked="" type="checkbox"/>	Operator's Name and Address
	<input checked="" type="checkbox"/>	Township & County Name <i>Up by location map</i>
	<input checked="" type="checkbox"/>	Section(s) &/or Lot(s) Number(s)
	<input checked="" type="checkbox"/>	Map Scale (Same as Approved Map)
	<input checked="" type="checkbox"/>	Contour Interval
	<input checked="" type="checkbox"/>	Date Prepared
	<input checked="" type="checkbox"/>	Permit Number



INCORRECT	CORRECT
✓	
✓	
✓	
	✓
	n/a
	✓
	n/a
	n/a
	n/a
	n/a
	n/a
	n/a
	✓
	✓
	n/a
	n/a

engineer?

✓  
✓  
✓

## FORMS

Four IBR Application Forms

Description: *Emergency spillway for #2 improvement*

One Original Signature

Negative Prime Farmland Statement from SCS (Att. 16)

Prime Farmland Restoration Plan (Att. 15)

Completeness of Forms

Pond Data Sheets & Cross Sections for New Ponds

Stream Buffer Zone Variance

Stream Diversion or Restoration Plan *Per insp. - No*

Small Area Drainage Exemption

300 Feet Consent (Att. 10) *Per insp. - No*

Fill Cross Sections

New Adjacent Landowners (Att. 4) *Per insp. - No*

Public Road Permit if W/in 100 Feet of Road (Att. 9)

Haul Road Designs/Cross Sections (if new)

Landowner (Same as Noted on Map)

Right of Entry (Affidavit) *original*

Consent to Enter (Att. 8) if Surface Owner Only

Landowner Comment (if New)

## COMMENTS:

*Engineer to review.*

*Case into inspector 6/17/94*

*No hydro review per Bill. 6/17/94*

*Per Joe Noonan 11-3-94 - Revised map ok!  
Letter too!*